

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JACK SELINSKY,

Plaintiff,

-v.-

Civil Action No.
5:08-cv-1363 (GLS/VEB)

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Office of Peter W. Antonowicz
148 West Dominick Street
Rome, New York 13440

PETER M. ANTONOWICZ, ESQ.

FOR THE DEFENDANT:

Social Security Administration
Office of Regional General Counsel
Region II
26 Federal Plaza - Room 3904
New York, New York 10278

MICHELLE L. CHRIST, ESQ.
PETER W. JEWETT, ESQ.

GARY L. SHARPE,
U.S. DISTRICT JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Victor E. Bianchini, duly filed June 14, 2010. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED, that the Report-Recommendation of Magistrate Judge Victor E. Bianchini filed June 14, 2010 is ACCEPTED in its entirety for the reasons state therein, and it is further

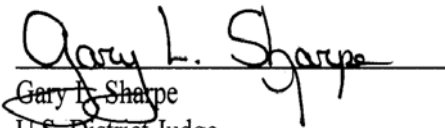
ORDERED, that the decision of the Commissioner is reversed, and that the case is remanded to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings consistent with the Report-Recommendation, and it is further

ORDERED, that the Clerk enter judgment and close the case, and it is further

ORDERED, that the Clerk of the Court is to mail copies of the Order to the parties.

IT IS SO ORDERED

Dated: June 30, 2010
Albany, New York


Gary L. Sharpe
U.S. District Judge